

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, APRIL 19, 1993
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:12 p.m. Mayor Golding adjourned the meeting at 4:05 p.m. to meet in Closed Session on Tuesday, April 20, 1993 at 9:15 a.m. in the 12th floor conference room to discuss pending litigation, significant exposure to litigation and meet and confer issues.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-excused by
R-281897 (meeting in Mexico City re airport)
- (3) Council Member Hartley-present
- (4) Council Member Stevens-present
- (5) Council Member Behr-excused by R-281964
(out-of-town City business)
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present
- Clerk-Abdelnour (so)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-not present

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- (3) Council Member Hartley-present
- (4) Council Member Stevens-present
- (5) Council Member Behr-not present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by City Clerk Charles G. Abdelnour.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Stallings.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1: REFERRED TO PF&R COMMITTEE

Marco Thorne discussed the concept of building a central library in downtown San Diego.

FILE LOCATION: Agenda

COUNCIL ACTION (Tape location: A031-070.)

ITEM-PC-2:

Mary Ann Bernath lives in the Del Mar Terrace and submitted a picture showing the poor conditions of the streets in the area.

FILE LOCATION: Agenda

COUNCIL ACTION: (Tape location: A070-089.)

ITEM-PC-3:

Mel Shapiro spoke on the unmet need for emergency shelters.

FILE LOCATION: Agenda

COUNCIL ACTION: (Tape location: A089-115.)

ITEM-PC-4:

Robert Anthony Reed III, representing CHARM, spoke for social justice now.

FILE LOCATION: Agenda

COUNCIL ACTION: (Tape location: A115-133.)

COUNCIL COMMENT:

ITEM-CC-1:

Council Member Stallings encouraged support of President Clinton's economic stimulus package and stressed the need to end the filibuster now.

FILE LOCATION: Minutes

COUNCIL ACTION: (Tape location: A133-161.)

ITEM-CC-2:

Council Member Vargas thanked the San Diego Police Department, especially the Southern Division, for the help they gave over the weekend with the graffiti and weed control cleanup.

FILE LOCATION: Minutes

COUNCIL ACTION: (Tape location: A161-174.)

ITEM-CC-3:

Council Member Hartley urged the City Manager to communicate to the County that the City will not accept the transfer of the Sanders site for a jail unless there are provisions for a holding facility downtown.

FILE LOCATION: Minutes

COUNCIL ACTION: (Tape location: A174-188.)

ITEM-CC-4:

Mayor Golding thanked the citizens of San Diego for acting judiciously after the Rodney King verdict was announced. She spoke on the need to invest in our youth to see that they get out of school with job skills and of the necessity to restore San Diego's economy.

FILE LOCATION: Minutes

COUNCIL ACTION: (Tape location: A188-209.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

3/29/93
3/29/93 Special Meeting
3/30/93
3/30/93 Special Joint Meeting
4/05/93 Adjourned
4/06/93 Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A220-244.)

MOTION BY STALLINGS TO APPROVE. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-50: (O-93-116) INTRODUCED, TO BE ADOPTED MAY 3, 1993

Introduction of an Ord. amending Chapter I, Article 1, Division 2, of the San Diego Municipal Code by adding Section 11.0207 entitled "Numbering of Municipal Code Chapters, Articles, Divisions and Sections," granting the City Attorney, in consultation with the City Clerk and other affected departments, to establish and modify, as necessary, the numbers in the Municipal Code, without the necessity for City Council action.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A252-350.)

CONSENT MOTION BY WOLFSHEIMER TO INTRODUCE. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-51: (O-93-127) CONTINUED TO MAY 3, 1993

Introduction of an Ordinance amending Chapter VI, Article 5, Division 2 of the San Diego Municipal Code by repealing Section 65.0216, relating to the San Diego Maintenance District Procedural Ordinance of 1986.

CITY MANAGER SUPPORTING INFORMATION: This amendment requests to repeal Section 65.0216 of the San Diego Maintenance District Procedural Ordinance of 1986, as set forth in Division 2 of the Municipal Code. This Division of the Municipal Code incorporates the Landscape and Lighting Act of 1972, as set forth beginning in Section 22500 of the Streets and Highways Code of the State of California. The Streets and Highways Code was amended effective January 1, 1993, per Chapter 963 of SB 773 repealing Section 22552.1 relating to publication of two weeks, and Section 22555 relating to posting of notice form and procedure, and adding new Sections 22525.5 and 22556 relating to a 45-day publication time limit notice, types of improvements and property owner protest requirements. Section 65.0216 of the Municipal Code covers the various categories which state when the City Clerk needs to notice owners of lots or parcels within a landscape or lighting maintenance district. It is hereby requested to repeal this Section as the above revisions in the Landscape and Lighting Act of the Streets and Highways Code as incorporated in the Municipal Code made this Section, 65.0216, redundant and unnecessary.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A252-350; A268-280.)

CONSENT MOTION BY WOLFSHEIMER TO CONTINUE TO MAY 3, 1993 ON BEHALF OF COUNCIL MEMBER McCARTY TO LOOK INTO CONCERNS THAT THIS ACTION WILL AFFECT THOSE WHO PAY THE ASSESSMENTS FOR LANDSCAPE MAINTENANCE DISTRICTS. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-100: (R-93-1247) ADOPTED AS RESOLUTION R-281763

Awarding a contract to Hawthorne Machinery Company for major overhaul of a caterpillar D6LGP Dozer at an actual cost of \$57,941.91 including tax, and first year maintenance; authorizing the expenditure of not to exceed \$57,941.91 from Department No. 700, Organization No. 400, Object Account No. 4212, and Job Order No. 2502; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any to the appropriate reserves. (BID-B3659/93)

Aud. Cert. 9300939.

FILE LOCATION: CONT-Purchase-Hawthorne Machinery CONFY93-1

COUNCIL ACTION: (Tape location: A252-350.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-101: (R-93-1409) ADOPTED AS RESOLUTION R-281764

Accepting the low bid in the amount of \$166,300 and awarding a contract to Layne Environmental Services, Inc. for construction of groundwater wells at Miramar Landfill; authorizing the additional expenditure of \$59,600 from Refuse Disposal Enterprise Fund 41201, CIP-37-250.0, Landfill Closure and Environmental Projects, to supplement the funding previously

authorized by Resolution R-281096, adopted on November 23, 1992.

(BID-K3513/93)

(Miramar Naval Air Station. District-5.)

CITY MANAGER SUPPORTING INFORMATION: State law mandates that landfill operators monitor the groundwater around active and inactive sites to determine the possibility of leachate leakage. This project involves the construction of a Regional Water Quality Control Board (RWQCB) approved monitoring network that will detect possible leakage from the Miramar facility. Bids for this construction were received on December 8, 1992. Three bids were received (ranging from \$166,300 to \$272,743) with Layne Environmental Services, Inc. being the lowest bidder. These bids are all higher than the estimate of \$115,000 because of the additional cost incurred by the special drilling techniques that were required by the RWQCB. This action will accept the low bid of Layne, and authorize additional funds (in conjunction with those previously authorized by Resolution R-281096) to pay for this construction.

Aud. Cert. 9300904.

FILE LOCATION: W.O. 119380 & CONT - Layne Environmental Services, Inc. CONTFY93-1

COUNCIL ACTION: (Tape location: A252-350.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-102: (R-93-1246) ADOPTED AS RESOLUTION R-281765

Awarding contracts for gymnastic and physical fitness equipment for the Canyonside Recreation Center, to: 1) Boosters Plus, Inc., 2) Interfacs, 3) Mohinder Sports, Inc., 4) G.S.C. Sports, 5) Tomark Sports and 6) Conlin Brothers, Inc., for a total cost of \$51,915.82 including tax; authorizing the expenditure of not to exceed \$51,915.82 from Department No. 30244, Fund No. 30244, Organization No. 105, Object Account No. 4922, and Job Order No. 294102, for providing funds for the project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-P3551/93)

(District-1.)
Aud. Cert. 9300919.

FILE LOCATION: CONT-Purchase-1) Boosters Plus, Inc.,
2) Interfacs, 3) Mohinder Sports, Inc.,
4) G.S.C. Sports, 5) Tomark Sports and
6) Conlin Brothers, Inc. CONFY93-6

COUNCIL ACTION: (Tape location: A252-350.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-not
present, Hartley-yea, Stevens-yea, Behr-not present,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-103:

Two actions relative to Aguamiel Road Sewer Main:
(Rancho Bernardo Community Area. District-5.)

Subitem-A: (R-93-1407) ADOPTED AS RESOLUTION R-281766

Inviting bids for Construction of Aguamiel Road Sewer
on Work Order 172881; authorizing the execution of a
contract with the lowest responsible bidder;
authorizing the expenditure of \$203,750 from Sewer
Revenue Fund 41506, CIP-44-001.0, for providing funds
for the project and related costs.
(BID-K3750/93)

Subitem-B: (R-93-1408) ADOPTED AS RESOLUTION R-281767

Certifying that the information contained in Mitigated
Negative Declaration and Mitigation Monitoring and
Reporting Program, DEP-93-0155, dated March 2, 1993, in
connection with Construction of Aguamiel Road Sewer,
has been completed in compliance with the California
Environmental Quality Act of 1970, and State
guidelines, and that the Declaration has been reviewed
and considered by Council.

CITY MANAGER SUPPORTING INFORMATION: The existing 18-inch trunk
sewer main in Aguamiel Road in Rancho Bernardo was built in 1977
and receives flows from Sewer Pump Station Nos. 81 and 85.
Residents on Aguamiel Road, between Aquacate Way and West
Bernardo Drive, have experienced persistent odor problems. A
study is currently being conducted to determine the exact cause
of the odors. The City Water Utilities Department has been

working with the residents on Aguamiel Road to resolve their immediate odor problems. Consequently, this project will install approximately 855 linear feet of new 8-inch sewer main parallel to the existing trunk sewer main in Aguamiel Road. By connecting the existing residences to the new isolated main, the odors will remain within the existing trunk sewer and not vent through the residential laterals to the houses.

Aud. Cert. 9300912.
WU-P-93-106.

FILE LOCATION: W.O. 172881 CONT - Robert L. Fox General
Contractor CONFY93-1

COUNCIL ACTION: (Tape location: A252-350.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-not
present, Hartley-yea, Stevens-yea, Behr-not present,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-104:

Two actions relative to Scripps Ranch North Phase 3:
(Miramar Ranch North Community Area. District-5.)

Subitem-A: (R-93-1574) ADOPTED AS RESOLUTION R-281768

Approving the acceptance by the City Manager of a grant deed of Miramar Ranch North, a California general partnership, granting to the City a reservoir site in a portion of Parcel 1 of Parcel Map PM-11571.

Subitem-B: (R-93-1575) ADOPTED AS RESOLUTION R-281769

Stating for the record that Supplemental Environmental Impact Report EIR-90-0898 has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines; that the report reflects the independent judgement of the City of San Diego as lead agency, and that the information in the report, together with any comments received during the public review process, has been reviewed and considered by Council in connection with the approval of the acceptance of a grant deed for a reservoir site within proposed Scripps Ranch North Phase 3.

FILE LOCATION: DEED F-6021 DEEDFY93-1

COUNCIL ACTION: (Tape location: A252-350.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-not
present, Hartley-yea, Stevens-yea, Behr-not present,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-105:

Two actions relative to Street Dedication - Scripps
Ranch Boulevard:
(Scripps Miramar Ranch and Miramar Ranch Community
Area. District-5.)

Subitem-A: (R-93-1487) ADOPTED AS RESOLUTION R-281770

Approving the acceptance by the City Manager of a grant
deed of Miramar Ranch North, granting to the City an
easement for public street purposes in portions of Lots
1, 9, 10 and 13 of Map-11991, in a portion of Parcel 1
of Parcel Map PM-11571, and in a portion of Parcel 2 of
Parcel Map PM-11428; dedicating said land as and for a
public street and naming the same Scripps Ranch
Boulevard.

Subitem-B: (R-93-1488) ADOPTED AS RESOLUTION R-281771

Stating for the record that the information contained
in Supplemental Environmental Impact Report
DEP-90-0898, has been completed in compliance with the
California Environmental Quality Act of 1970, as
amended, and State guidelines, and that the report
reflects the independent judgment of the City of San
Diego as Lead Agency and that the information contained
in the report, together with any comments received
during the public review process, has been reviewed and
considered by the Council in connection with the
approval of the dedication of Scripps Ranch Boulevard.

FILE LOCATION: DEED F-6022 DEEDFY93-1

COUNCIL ACTION: (Tape location: A252-350.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-not
present, Hartley-yea, Stevens-yea, Behr-not present,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-106:

Three actions relative to Street Dedication -
Weatherhill Way north of Scripps Ranch Boulevard and a
Water Easement:
(Miramar Ranch North Community Area. District-5.)

Subitem-A: (R-93-1489) ADOPTED AS RESOLUTION R-281772

Approving the acceptance by the City Manager of a grant
deed of Miramar Ranch North, granting to the City an
easement for public street purposes in a portion of
Parcel 1 of Parcel Map PM-11571; dedicating said land
as and for a public street and naming the same
Weatherhill Way.

Subitem-B: (R-93-1490) ADOPTED AS RESOLUTION R-281773

Approving the acceptance by the City Manager of an
easement deed of Miramar Ranch North, granting to the
City an easement for water facilities purposes in a
portion of Parcel 1 of Parcel Map PM-11571.

Subitem-C: (R-93-1491) ADOPTED AS RESOLUTION R-281774

Stating for the record that the information contained
in Supplemental Environmental Impact Report
DEP-90-0898, has been completed in compliance with the
California Environmental Quality Act of 1970, as
amended, and State guidelines, and that the report
reflects the independent judgement of the City of San
Diego as Lead Agency and that the information contained
in the report, together with any comments received
during the public review process, has been reviewed and
considered by the Council in connection with the
approval of the dedication of Weatherhill Way.

FILE LOCATION: Subitem-A: DEED F-6023; Subitem-B: DEED
F-6024 DEEDFY93-2

COUNCIL ACTION: (Tape location: A252-350.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-not
present, Hartley-yea, Stevens-yea, Behr-not present,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-107: (R-93-1477) CONTINUED TO JUNE 28, 1993

Authorizing the negotiation with the County of San Diego and the Del Dios Municipal Water District regarding the use and disposition of Water Utilities land in the community of Del Dios; authorizing the negotiation of land sale agreements with certain Del Dios property owners, with consummation of those agreements being contingent upon approval of a mutually satisfactory agreement by the City Council; authorizing the execution of an agreement with Xinos Enterprises Incorporated for \$25,000 on a sole source basis for engineering services; authorizing and approving the use of a portion of the proceeds from the sale of the City-owned property, to be used as necessary to pay for percolation tests, acquisition of shares in the Del Dios Municipal Water District, and for other development costs associated with the sale of the marketable lots.

(See City Manager Report CMR-93-78.)

COMMITTEE ACTION: Reviewed by PF&R on 3/24/93.

Recommendation to approve the City Manager's recommendation in City Manager Report CMR-93-78. Districts 3,5,6,7 and 8 voted yea.

Aud. Cert. 9300848.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A252-350; A281-290.)

CONSENT MOTION BY WOLFSHEIMER TO CONTINUE TO JUNE 28, 1993 ON BEHALF OF THE JOINT POWERS AUTHORITY OF THE SAN DIEGUITO REGIONAL PARK TO ALLOW TIME FOR THEM TO REVIEW AND MAKE RECOMMENDATIONS ON THIS. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-108: (R-93-1556) ADOPTED AS RESOLUTION R-281775

Proclaiming the month of April 1993 to be "Fair Housing Month" and commending the many individuals and organizations who continue to play a key role in the elimination of illegal housing discrimination in the City of San Diego.

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FILE LOCATION: Agenda

COUNCIL ACTION: (Tape location: A252-350.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-not
present, Hartley-yea, Stevens-yea, Behr-not present,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-109: (R-93-1557) ADOPTED AS RESOLUTION R-281776

Proclaiming April 23, 1993 to be "San Diego Urban
League-Career Fair Day" and wishing the Urban League
many years of continued success in "America's Finest
City."

FILE LOCATION: Agenda

COUNCIL ACTION: (Tape location: A209-244.)

MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer.
Passed by the following vote: Wolfsheimer-yea, Roberts-not
present, Hartley-yea, Stevens-yea, Behr-not present,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-110: (R-93-1493) ADOPTED AS RESOLUTION R-281777

Authorizing a Suggestion Award to Holly VanStrum -
Water Utilities/Services - \$90.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A252-350.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-not
present, Hartley-yea, Stevens-yea, Behr-not present,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-111: (R-93-1500) ADOPTED AS RESOLUTION R-281778

Authorizing the City Manager to submit an application
to the California Arts Council State/Local Partnership
Program for a grant in the amount of \$55,000 for the

Fiscal Year 1994 Arts and Cultural Program for the following purposes:

- 1) To support the Neighborhood Arts Program, which was initiated in response to the Neighborhood Parks and Protection Plan;
- 2) To provide administrative assistance to several committees and review panels of the City's Commission for Arts and Culture;
- 3) To assist in the completion of the community cultural plan; and
- 4) To seek other sources of funding for the City's Arts and Cultural projects;

Authorizing the City Manager to accept the funds and authorizing the City Auditor to expend the funds if the City's application for the California State/Local Partnership Program grant in the amount of \$55,000 for FY 1994 is approved; authorizing the City Manager to administer any grant funds received from the California Arts Council State/Local Partnership Program for Fiscal Year 1994 for programs and administrative support of the City's art and cultural programs and for the City's Neighborhood Art Program.

CITY MANAGER SUPPORTING INFORMATION: In 1980, the State Legislation established and funded the State/Local Partnership Program (S/LPP) under the California Arts Council to "encourage local cultural planning and decision-making and to reach previously under served constituencies." The San Diego City Council, by Resolution R-252650, adopted on September 9, 1980, determined to act as a S/LPP partner separate from the County of San Diego and designated the Combined Arts and Educational Council (COMBO) to perform under the S/LPP on its behalf from 1980-1983. In 1984, the City Council changed this designation and identified itself as the local partner. An application for funding in the amount of \$55,000 will be submitted for the Fiscal Year 1994 Arts and Culture Program for the following purposes: 1) to support the Neighborhood Arts Program, initiated by the Arts and Culture Program in response to the Neighborhood Pride and Protection Plan; 2) to provide administrative assistance to several committees and review panels of the Commission for Arts and Culture; 3) to assist in the completion of the community cultural plan; and 4) to seek other sources of funding for city arts and cultural projects.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A252-350.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-not
present, Hartley-yea, Stevens-yea, Behr-not present,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-112: (R-93-1580) ADOPTED AS RESOLUTION R-281779

Authorizing the City Manager or his duly designated
representative to apply for, accept, and administer
grant funds from the California State Library (Library
Services and Construction Act) to expand library
services to patrons with disabilities.

(Centre City, Clairemont Mesa and Otay Mesa-Nestor
Community Areas. Districts-2,6, & 8.)

CITY MANAGER SUPPORTING INFORMATION: The San Diego Public
Library has been invited by the California State Library to apply
for grant funds to purchase auxiliary aids, adaptive technology
and furnishings that are designed to provide access to library
services for people with disabilities. The new equipment must
fall within the framework and priorities of the Library
Department's jurisdictional plan for Americans with Disabilities
Act compliance. At the present time the Library generally
complies with the provisions of Americans with Disabilities Act.
The grant funds would enable the Library to expand outreach
services to persons with disabilities. Since the grant proposal
is to be considered a "model" project the State Library prefers
that the equipment be housed in one location. However, due to
the size of our jurisdiction we are proposing to purchase
equipment for three library sites. The Library plans to use the
money to enhance the level of services available at the I CAN!
Center and create two branch mini centers. The I CAN! Center,
which provides library services specifically for persons with
disabilities, is located in the Central Library and is staffed by
a full time Disabled Services Librarian (the only one in the
county.) The mini centers, to be located at the Balboa Branch
Library (south Clairemont) and the Otay Mesa Branch Library, will
allow the Library to provide better service area coverage to
residents with disabilities. The Balboa Branch will initially
target the large population of youth adults and children with
physical and mental disabilities that attend nearby schools. The
Otay Mesa Branch facility will extend library services to South
San Diego residents and will be able to address the needs of
Spanish speaking patrons who have disabilities.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A252-350.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-not
present, Hartley-yea, Stevens-yea, Behr-not present,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-113:

Two actions relative to Construction of Scripps Miramar
Ranch Branch Library:
(Scripps Miramar Ranch Community Area. District-5.)

Subitem-A: (R-93-1428) ADOPTED AS RESOLUTION R-281780

Authorizing the City Auditor and Comptroller to
transfer an amount not to exceed \$98,200 from the
Scripps Miramar Ranch Facilities Benefit Assessment
Fund, Number 79007 to CIP-35-060.0, Scripps Miramar
Ranch Branch Library; authorizing the expenditure of an
amount not to exceed \$98,200 from CIP-35-060.0 for
providing funds for the construction of the Scripps
Miramar Ranch Branch Library.

Subitem-B: (R-93-1429) ADOPTED AS RESOLUTION R-281781

Stating for the record that the information contained
in Addendum DEP-91-0154 to EIR DEP-85-0762, has been
reviewed and considered by Council in connection with
the Scripps Miramar Ranch Branch Library.

CITY MANAGER SUPPORTING INFORMATION: This action will provide
the additional funding to complete the construction of the
Scripps Miramar Ranch Branch Library. During the early
construction phase, contingency funding was seriously depleted
due to soil remediation work requiring additional excavation.
Now proposed additional work items include a sidewalk from the
library entry east to Red Cedar, addition of an audio-visual
system, installation of an intrusion security system, revisions
required by the Building Inspection Department and costs due to
County Water Authority disruption during pipeline construction
through the site. The construction of the library project is now
approximately 90 percent complete and the public opening will be
early in 1993.

Aud. Cert. 9300742.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A252-350.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-114: (R-93-1560) ADOPTED AS RESOLUTION R-281782

Authorizing the expenditure of an amount not to exceed \$74,696.85 from Fiscal Year 1993 Sewer Revenue Fund No. 41506, to the County of San Diego, Department of Health Services, for the services provided because of the ocean outfall break.

CITY MANAGER SUPPORTING INFORMATION: On February 3, 1992, the ocean outfall at the Point Loma Metropolitan Sewage Treatment Plant suffered a structural failure. Upon notification to the California Regional Water Quality Control Board, which administers and enforces the National Pollutant Discharge Elimination System (NPDES) Permit, and the U.S. Environmental Protection Agency (EPA), both agencies issued orders to the City regarding the violation of its permit and dictated supplemental actions regarding the repair. These actions included the City to develop and conduct monitoring of bacteria at the discharge site and shoreline. Daily bacterial sampling for the Point Loma spill was coordinated between the City of San Diego Metro Wastewater laboratory, the County of San Diego Environmental Health Services (EHS) and the U.S. Navy. Due to the magnitude of the sampling sites, the number of samples collected, and the public health issues involved, the County of San Diego EHS managed the collection and compilation of all samples' results. From these results, the EHS determined plume location sampling plans and quarantine zones. In addition, EHS staff fielded telephone calls from the media and public, attended public meetings, in response to concern, met with engineers to address damage to the outfall and repair schedule, and attended meetings which focused on the monitoring program and plume tracking. The cost to the City for these services is \$74,696.85. The City Attorney has reviewed this matter and has ruled that per Section 458 of the California Health and Safety Code, the County Health Officer is authorized to take any preventative measure which may be necessary to preserve and protect the public health from any public health hazard in the event of an emergency as defined by Section 8558 of the Government Code and that the City, as operator of the outfall and as the outfall was the cause of this emergency, is responsible for these costs.

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for the Regular Meeting of Monday, April 19, 1993**

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Aud. Cert. 9300906.
WU-U-93-099.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C355-384.)

MOTION BY STEVENS TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-115: (R-93-1523) TRAILED TO APRIL 20, 1993 DUE TO LACK OF FIVE VOTES

A Resolution approved by the City Council in Closed Session on Tuesday, March 23, 1993 by the following vote: Wolfsheimer-nay; Roberts-yea; Hartley-yea; Stevens-nay; Behr-nay; Stallings-nay; McCarty-yea; Vargas-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$41,500 toward settlement of Superior Court Case No. 646524, City of San Diego v. American Newland Associates, et al., a condemnation action to acquire the real property necessary for a park and ride facility located at Carmel Mountain Road in the community of Rancho Penasquitos; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$41,500 from the Rancho Penasquitos East FBA Account No. 79-004 to CIP-52-415.0, Park and Ride--Carmel Mountain Road and Penasquitos Boulevard; authorizing the City Auditor and Comptroller to expend the amount of \$41,500 from CIP-52-415.0, by the issuance of Warrant Check 2197860 in the amount of \$41,500, made payable to American Newland Associates.

(Rancho Penasquitos Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: Council voted in closed session to approve the expenditure of \$41,500 to American Newland Associates for the acquisition of real property for a park and ride facility in Rancho Penasquitos. This amount will complete the condemnation action in Superior Court Case No. 646524 and includes interest payments. Any subsequent contributions to this payment from CalTrans and/or MTDB will be returned to the Rancho Penasquitos FBA.

Aud. Cert. 9300932.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A252-350.)

ITEM-116: (R-93-1565) ADOPTED AS RESOLUTION R-281783

Authorizing the City Manager to negotiate an option agreement with Restaurant Alliance for Management and Marketing, Inc., the company which was selected as the result of a Request for Proposals, for the operation of a restaurant in the House of Hospitality once the building is reconstructed.

(Balboa Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: The PF&R Committee previously authorized City staff to issue a Request for Proposals for the restaurant operation in the House of Hospitality Building in Balboa Park. City Manager's Report CMR-92-354 presented the four proposals received from restaurant operators, and PF&R narrowed the field to two proposers and gave those two the opportunity to revise and resubmit their proposals. The two proposers were Bistro Foods, which is the current operator, and Restaurant Alliance for Management and Marketing, Inc. (RAMM). Bistro Foods decided to withdraw its proposal, but RAMM is still interested and submitted a revised proposal. City staff believes that RAMM is well qualified to operate the restaurant and request Council approval to negotiate and execute an option to lease. The option will cover financing, timing, fees, and terms of the lease. The lease will be brought back for Council approval after it has been negotiated. Bistro Foods will continue to operate the restaurant until Fall of 1994, when the existing building will be razed and reconstructed. Council previously authorized \$14 million for the project. The new building will open two years later with RAMM operating the restaurant.

FILE LOCATION: MEET CONFY93-1

COUNCIL ACTION: (Tape location: C384-390.)

MOTION BY STEVENS TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-117:

Two actions relative to Friars Road/Mission Gorge Road
Traffic Signal System:
(Mission Valley & Navajo Community Areas.
Districts-6 & 7.)

Subitem-A: (R-93-1520) ADOPTED AS RESOLUTION R-281784

Authorizing the execution of an agreement with the
California Department of Transportation (Caltrans) for
the Friars Road/Mission Gorge Road Traffic Signal
System; authorizing the acceptance of a Traffic System
Management Grant from the California Department of
Transportation in the amount of \$939,000 for the above
project; authorizing the City Auditor and Comptroller
to establish Capital Outlay Grant Fund No. 38520,
Friars Road/Mission Gorge Traffic Signal System;
modifying the FY 1993 Capital Improvements Program by
adding CIP-63-017.0;

authorizing the City Auditor and Comptroller to
transfer an amount not to exceed \$939,000 from Capital
Outlay Grant Fund No. 38520 to CIP-63-017.0.

Subitem-B: (R-93-1521) ADOPTED AS RESOLUTION R-281785

Authorizing the execution of an agreement with KHR
Associates, for professional design and related
services for the Friars Road/Mission Gorge Road Traffic
Signal System; authorizing the expenditure of not to
exceed \$118,175 from Capital Outlay Fund No. 38520,
CIP-63-017.0, Friars Road/Mission Gorge Road Traffic
Signal System, for the purpose of providing funds for
the above project.

CITY MANAGER SUPPORTING INFORMATION: The City was awarded a
\$939,000 grant from the California Department of Transportation
for the installation of a traffic signal system on Friars Road
and Mission Gorge Road. The grant was awarded through the
Traffic Systems Management Program which was funded by State gas
taxes through Proposition 111, which was approved by voters in
June of 1990. The grant award includes all engineering, support,
and construction costs for the project and does not require a
local match. KHR Associates, an MBE firm, in association with
Meyer, Mohaddes Associates, Inc., was selected to provide
professional design and related consulting services for the
project. The consulting agreement includes 71 percent MBE
participation and 0 percent WBE participation.

Aud. Cert. 9300931.

FILE LOCATION: MEET CCONFY93-1; CONTFY93-1

COUNCIL ACTION: (Tape location: A252-350.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-not
present, Hartley-yea, Stevens-yea, Behr-not present,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-118: TRAILED TO APRIL 20, 1993

Two actions relative to G Street/State Route 94 HOV
Lane:
(Centre City Community Area. District-2.)

Subitem-A: (R-93-1645)

Authorizing the acceptance of a 1993 Traffic Management
Plan Grant from the California Department of
Transportation in the amount of \$707,000 for the G
Street/State Route 94 HOV Lane; authorizing the
execution of an agreement with the California
Department of Transportation for the construction of G
Street/State Route 94 HOV Lane; authorizing the City
Auditor and Comptroller to establish Capital Outlay
Grant Fund No. 38521, G Street/State Route 94 HOV Lane;
modifying the FY 1993 Capital Improvements Program by
adding \$707,000 to CIP-52-562.0, G Street/State Route
94 HOV Lane.

Subitem-B: (R-93-1647)

Authorizing the execution of an agreement with Boyle
Engineering, for professional design services for the
design of the G Street/State Route 94 HOV Lane;
authorizing the expenditure of an amount not to exceed
\$65,240 from CIP-52-562.0, Capital Outlay Grant Fund
No. 38521, for the purpose of providing funds for the
above project.

CITY MANAGER SUPPORTING INFORMATION: Capital Improvement
Project CIP-52-562.0 provides for the design and construction of
a High Occupancy Vehicle (HOV) lane along G Street to State Route
94. G Street is the primary access roadway to the Martin Luther
King Freeway (State Route 94) from downtown San Diego. The
project will consist of restriping G Street for the HOV lane,

relocation and modification of the existing CalTrans on ramp meters, the installation of a CHP enforcement pad, and minor public improvements to the bus stops and other facilities along G Street. By facilitating and encouraging carpools, this project will be consistent with the goals of SANDAG's Congestion Management Program and the California and Federal Clean Air Acts. In accordance with Council Policy 300-7 and Administrative Regulation 25.60, the Consultant Coordinator provided the names of five firms on the "As-Needed" list for consideration. Interviews were conducted on March 1, 1993 with Boyle Engineering being recommended for professional services. Fee negotiations were consummated on March 12, 1993 resulting in mutually acceptable terms and conditions including base fee of \$51,649 and additional services of \$13,591. Boyle Engineering has 28 percent MBE and 32 percent WBE sub-consultant participation for this project.

Aud. Cert. 9300956.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A252-350.)

* ITEM-119: (R-93-1650) ADOPTED AS RESOLUTION R-281786

Rescinding Resolution R-281622, adopted on March 22, 1993, regarding the purchase of 25 miscellaneous police vehicles. (BID-C3590/93)

CITY MANAGER SUPPORTING INFORMATION: On March 22, 1993 Resolution R-281622 was adopted by the City Council that approved the purchase of 25 replacement miscellaneous vehicles to be funded by Police Department General Fund monies. In light of the City's current budgetary and fiscal restraints, it is recommended that the purchase of these 25 miscellaneous (undercover) vehicles be canceled. The cancellation of this purchase will not have a serious impact on Police Department operations. As a result of this cancellation, vehicles not replaced may require increased maintenance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A252-350.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200:

Seven actions relative to Earth Day 1993:

Subitem-A: (R-93-1644) ADOPTED AS RESOLUTION R-281787

Adoption of a Resolution Proclaiming April 22, 1993 to be Earth Day in the City of San Diego; urging all residents to recognize the importance of this occasion which will provide the citizenry with a special occasion to renew our commitment to protect our home: Earth.

Subitem-B: PRESENTED

Presentation of Council resolution by the Mayor to Carolyn Chase of Earth Day and Judy Bishop of Building Materials Recycling regarding Earth Day activities.

Subitem-C: PRESENTED

Presentations to Student Environmental Poster Contest Winners Lan Quach, Aramara Garcia, Lisa Kingery, and Asia Bur-Min.

Subitem-D: (R-93-1591) ADOPTED AS RESOLUTION R-281788

Adoption of a Resolution commending Sharp HealthCare for their exemplary environmental programs, including reusable cloth diapers, conversion of service vehicles to natural gas from gasoline, recycling white paper, and building design to preserve the Torrey Pine located on site.

Subitem-E: (R-93-1524) ADOPTED AS RESOLUTION R-281789

Adoption of a Resolution commending the San Diego State University Suntraker, a solar-powered electric car project designed by students from the department of Business, Engineering and Professional Studies, and Fine Arts for students with disabilities for racing in a worldwide competition.

Subitem-F: (R-93-1542) ADOPTED AS RESOLUTION R-281790

Adoption of a Resolution commending the San Dieguito River Valley Open Space Park during May, National Wetlands Month.

Subitem-G: PRESENTED

In the matter of City Department presentations on
environmental issues.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B100-C355.)

MOTION BY McCARTY TO ADOPT SUBITEMS A, D, E, AND F AND TO APPROVE PRESENTATIONS FOR SUBITEMS B, C, AND G. THE CITY MANAGER IS DIRECTED TO WORK ON A SPECIFIC MARKETING PLAN FOR USING MIXED PAPER AND REPORT BACK TO COUNCIL. REFER IDEAS ON REGISTERING DISTINCTIVE TREES TO THE CITY MANAGER AND THE PF&R COMMITTEE TO FIND OUT IF SAN DIEGO IS LISTED IN THE REGISTER AND TO DETERMINE IF SOME OF THE BIG TREES IN BALBOA PARK OR MISSION HILLS QUALIFY FOR THE REGISTER. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201: (R-93-1585) ADOPTED AS RESOLUTION R-281791

Authorizing the execution and delivery of certain amendments to the indenture relating to the City of San Diego Multifamily Mortgage Revenue Bonds, 1984 Issue B. (See Housing Commission Report HCR-93-007CC. Districts-3, 4, 5 and 8.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A350-B100.)

MOTION BY McCARTY TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-nay, Behr-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-S400: (R-93-1569) ADOPTED AS RESOLUTION R-281792

Commending retired Army officers Jay Pry and John Coffin for their leadership as co-directors of the Sixth Annual Southern California Invitational High School Reserve Officer Training Corps (ROTC) drill competition; and commending the San Diego Naval

Training Center and the Marine Corps Recruit Depot personnel, as well as the local veterans and civic organizations for their extensive support of the Southern California Drill Meet.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A252-350.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 4:05 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C390-408).